

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

LEE DIXON SCOTT,)
Plaintiff,)
v.) CIVIL ACTION NO. 5:13-CV-226 (MTT)
TINA M. LENTS and DODGE MOTOR)
COMPANY,)
Defendants.)

)

ORDER

Before the Court is the Plaintiff's motion for reconsideration (Doc. 6) of the Court's Order (Doc. 4) dismissing his Complaint (Doc. 1) without prejudice.

Pursuant to Local Rule 7.6, "Motions for Reconsideration *shall not be filed as a matter of routine practice.*" M.D. Ga., L.R. 7.6 (emphasis added). Indeed, "[r]econsideration of a previous order is an extraordinary remedy to be employed sparingly." *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga.) (internal quotation marks and citation omitted). It "is appropriate only if the movant demonstrates (1) that there has been an intervening change in the law, (2) that new evidence has been discovered which was not previously available to the parties in the exercise of due diligence, or (3) that the court made a clear error of law." *Id.* "In order to demonstrate clear error, the party moving for reconsideration must do more than simply restate [her] prior arguments, and any arguments which the party inadvertently failed to raise earlier are deemed waived." *McCoy v. Macon Water Authority*, 966 F. Supp. 1209, 1222-23 (M.D. Ga. 1997).

The Plaintiff has not met this burden. He has not alleged an intervening change in the law nor presented new evidence previously unavailable to him. Moreover, the

Court is not persuaded that its ruling was clearly erroneous. Finally, the Court has not reached the merits of this case. Therefore, as stated previously, the Plaintiff is free to file his lawsuit in another court if he can find one that provides a proper forum, perhaps in Tennessee. This Court is simply not the appropriate venue for this action.

Accordingly, the Plaintiff's motion for reconsideration is **DENIED**.

SO ORDERED, this 31st day of July, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT